

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

January 3, 2006

IN RE:

**APPLICATION OF TELECONEX, INC. TO AMEND ITS
CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY TO INCLUDE FACILITES-BASED
AUTHORITY TO PROVIDE COMPETING LOCAL
TELECOMMUNICATIONS SERVICES**

)
)
)
)
)
)
)

**DOCKET NO.
02-00904

Company ID:
128163**

**ORDER REVOKING CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY TO PROVIDE FACILITES-BASED COMPETING
LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES
FOR NON-PAYMENT OF FEES**

This matter came before Director Deborah Taylor Tate, Director Pat Miller and Director Sara Kyle of the Tennessee Regulatory Authority (the "Authority"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on November 21, 2005 to cancel the Certificate of Public Convenience and Necessity of TeleConex, Inc. (the "Company") to provide facilities-based competing local exchange telecommunications services in Tennessee due to non-payment of its annual inspection fee¹ pursuant to Tenn. Code Ann. § 65-4-301(a)(1) (2004).²

The Company originally filed its Application to provide facilities-based competing local exchange telecommunications services within the State of Tennessee on August 30, 2002. During a Hearing held on December 19, 2002, the Hearing Officer concluded that the Company

¹ The Company's authority to provide operator services and/or resell telecommunications services in Tennessee was revoked at an Authority Conference held on September 26, 2005 in Docket No 98-00353

² Tenn Code Ann § 65-4-301(a)(1) (2004) provides.

Every public utility doing business in this state and subject to the control and jurisdiction of the authority to which the provisions of this chapter apply, shall pay to the state of Tennessee on or before April 1 of each year, a fee for the inspection, control and supervision of the business, service and rates of such public utility


had met all the requirements for certification and the requirements of Tenn. Comp. R. & Regs. 1220-4-2-.57, which was promulgated pursuant to, *inter alia*, Tenn. Code Ann. § 65-2-102 (2004) and Tenn. Code Ann. § 65-4-201 (2004), and approved the Company's Application.

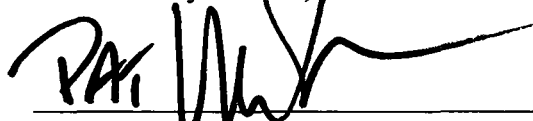
An initial notice advising the Company of its failure to comply with the requirements of Tenn. Code Ann. § 65-4-301(a)(1) (2004) was mailed on February 10, 2005. A second notice was mailed on May 11, 2005. Finally, a Notice of Cancellation was mailed on July 28, 2005 via certified mail. The Company failed to respond. As a result of this failure, this matter was placed on the November 21, 2005 Authority Conference for the voting panel assigned to this docket to consider revocation of the authority of the Company to provide facilities-based competing local exchange telecommunications services due to non-payment of fees.

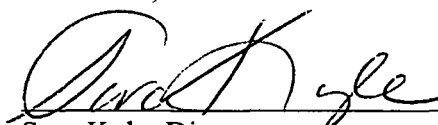
Based upon careful consideration of the record of this matter, the panel voted unanimously to revoke the authority of the Company to provide facilities-based competing local exchange telecommunications services in Tennessee.

IT IS THEREFORE ORDERED THAT:

As a result of the non-payment of fees, the authority granted to TeleConex, Inc. to provide facilities-based competing local exchange telecommunications services within the State of Tennessee is revoked, and this docket is closed.


Deborah Taylor Tate, Director


Pat Miller, Director


Sara Kyle, Director